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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/599,229	06/22/2000	Eli Shagam	EMC-99-167	7778

7590 04/19/2004

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EXAMINER

VU, THONG H

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 04/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/599,229

Applicant(s)

SHAGAM ET AL.

Examiner

Thong H Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1. Claims 1-17 are pending.

Response to Arguments

2. Applicant's arguments, see pages 2-8, filed 3/31/04, with respect to the rejection(s) of claim(s) 1-17 under Miller-Yener have been fully considered and are persuasive. Therefore, the Final rejection has been withdrawn. However, upon further consideration, a new ground(s) of Non-Final rejection is made in view of Miller et al and Aggarwal et al.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-17 are rejected under 35 U.S.C. § 102(b) as being anticipated by Miller et al [Miller 5,727,002]

4. As per claim 1, Miller discloses a firewall (i.e.: server) for transferring message packets from an external network to a local area network (i.e.: WAN, Internet), at least one of the message packets including a time to live field including a time to live value, the firewall comprising:

A. a message receiver configured to receive the at least one of the message packets from the external network [Miller, a server receives message from an external network or WAN /Internet, col 5 lines 27-35];

B. a message processor configured to process the at least one message packet to provide, in the Time-to-live field, a time to live value selected (i.e.: configurable) to be related to a maximum length for message packets transferred over the local area [Miller, the server transfer file to clients with associated parameters wherein the maximum time duration (or TTL, time to live, maximum pass count) is configurable, col 6 lines 20-52, col 8 lines 15-31];

C. a message transmitter configured to transmit the at least one message packet as processed by the message processor over the local area network [Miller, the server detects completion of client by receiving a "done message" from a client, col 10 lines 1-17].

5. As per claims 2,5 Miller discloses the firewall selectively transfers message packets from the external network to the local area network [Miller, the server maintains a frame data structure which indicates all selective rejected on individual frames, col 8 line 66-col 9 line 20].

6. As per claims 3,6 Miller discloses the selection is made for a respective message packet based on whether a source for the respective message packet in the external network is authorized (i.e.: allow) to transmit a message packet to a destination in the local area network [Miller, the duration allow the server communicates to a client over WAN/Internet, col 6 lines 53-67].

7. As per claim 4, Miller discloses transferring message packets from the local area network to the external network, at least one of the message packets including a time to live field including a time to live value [Miller, the server transfer file to clients with associated parameters wherein the maximum time duration is configurable, col 6 lines 20-52, col 8 lines 15-31],

A. the message receiver being further configured to receive the at least one of the message packets from the local area network [Miller, a server receives message from an external network or WAN /Internet, col 5 lines 27-35];

B. the message processor being further configured to process the at least one of the message packets received from the local area network to provide, in the time to live field, a predetermined arbitrary value [Miller, the server transfer file to clients with associated parameters wherein the maximum time duration is configurable, col 6 lines 20-52, col 8 lines 15-31]; and

C . the message transmitter being further configured to transmit the at least one of the message packets as processed by the message processor over the external network [Miller, the server detects completion of client by receiving a "done message" from a client, col 10 lines 1-17].

8. As per claim 7, Miller discloses a device for generating and transmitting at least one message packet over network, the at least one message packet including a time to live field including a time to live value, the device comprising:

A. a message generator configured to generate the at least one message packet and provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred over the network; and

B. a message transmitter configured to transmit the at least one message packet as generated by the message generator over the network.

9. Claims 8-13 contain the similar limitations set forth of apparatus claims 1-6, respectively. Therefore, claims 8-13 are rejected for the similar rationale set forth in claims 1-6.

10. Claims 14,15,16,17 contain the similar limitations set forth of apparatus claim 1. Therefore, claims 14,15,16,17 are rejected for the similar rationale set forth in claim 1.

11. Claims 1-17 are rejected under 35 U.S.C. § 102(b) as being anticipated by Aggarwal et al [Aggarwal 5,675,741].

12. As per claim 1, Aggarwal discloses a firewall (i.e.: router) for transferring message packets from an external network to a local area network, at least one of the message packets including a time to live field including a time to live value [Aggarwal, a router using TTL mechanism, col 4 lines 3-21] the firewall comprising:

A. a message receiver configured to receive the at least one of the message packets from the external network [Aggarwal, a UDP probe packet, col 3 line 55-col 4 line 2];

B. a message processor configured to process the at least one message packet to provide, in the Time-to-live field, a time to live value selected to be related to a maximum length for message packets transferred over the local area network [Aggarwal, a router using TTL mechanism with maximum period, col 4 lines 3-21, col 41 lines 1-24, col 42 lines 1-22. It was clear that a router connected a local network to an external network];

C. a message transmitter configured to transmit the at least one message packet as processed by the message processor over the local area network [Aggarwal, CPU access to a network, col 4 lines 60-65].

13. As per claims 2,5 Aggarwal discloses the firewall selectively transfers message packets from the external network to the local area network [Aggarwal, a router using TTL mechanism with maximum period, col 4 lines 3-21, col 41 lines 1-24, col 42 lines 1-22. It was clear that a router is authorized to select and distribute packets to local network or external network.

14. As per claims 3,6 Aggarwal discloses the selection is made for a respective message packet based on whether a source for the respective message packet in the external network is authorized to transmit a message packet to a destination in the local area network [Aggarwal, a router using TTL mechanism with maximum period, col 4 lines 3-21, col 41 lines 1-24, col 42 lines 1-22. It was clear that a router is authorized to select and distribute packets to local network or external network].

15. As per claim 4, Aggarwal discloses transferring message packets from the local area network to the external network, at least one of the message packets including a time to live field including a time to live value,

A. the message receiver being further configured to receive the at least one of the message packets from the local area network [Aggarwal, a UDP probe packet, col 3 line 55-col 4 line 2];

B. the message processor being further configured to process the at least one of the message packets received from the local area network to provide, in the time to live field, a predetermined arbitrary value [Aggarwal, a router using TTL mechanism with maximum period, col 4 lines 3-21, col 41 lines 1-24, col 42 lines 1-22. It was clear that a router connected a local network to an external network]; and

C. the message transmitter being further configured to transmit the at least one of the message packets as processed by the message processor over the external network [Aggarwal, CPU access to a network, col 4 lines 60-65].

16. As per claim 7, Aggarwal discloses a device for generating and transmitting at least one message packet over network, the at least one message packet including a time to live field including a time to live value, the device comprising:

A. a message generator configured to generate the at least one message packet and provide, in the time to live field, a time to live value selected to be related to a maximum path length for message packets transferred over the network [Aggarwal, a router using TTL mechanism with maximum period, col 4 lines 3-21, col 41 lines 1-24,

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col 42 lines 1-22. It was clear that a router connected a local network to an external network]; and

B. a message transmitter configured to transmit the at least one message packet as generated by the message generator over the network [Aggarwal, CPU access to a network, col 4 lines 60-65].

17. Claims 8-13 contain the similar limitations set forth of apparatus claims 1-6, respectively. Therefore, claims 8-13 are rejected for the similar rationale set forth in claims 1-6.

18. Claims 14,15,16,17 contain the similar limitations set forth of apparatus claim 1. Therefore, claims 14,15,16,17 are rejected for the similar rationale set forth in claim 1.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643. The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (703) 305-9705.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9700.

Any response to this action should be mailed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 or faxed to :

After Final (703) 746-7238

Official: (703) 746-7239

Non-Official (703) 746-7240

Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Thong Vu
Patent Examiner
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